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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,087	03/11/2004	Koji Kobayashi	04536.032001	6040

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OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

EXAMINER

DANG, HUNG Q

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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08/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/798,087

Applicant(s)

KOBAYASHI, KOJI

Examiner

Hung Q. Dang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :03/11/2004, 09/06/2006, 01/03/2007.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Hamada et al. (US 2002/0135608).

Regarding claim 1, Hamada et al. disclose a disk reproduction apparatus ([0022]; [0097]) comprising: a data reproduction unit reproducing data recorded on a disk ([0142]; [0097]); a first input unit accepting a predetermined input ([0129]); a marker display unit causing a display device to display a plurality of marker when there is an input at said first input unit during reproduction of data by said data reproduction unit ([0129]); a second input unit accepting input of information selecting one marker from said plurality of markers displayed at said display device ([0142]; [0126]; [0131]); an information storage unit storing, in association, information of displaying said selected marker and information of a position of reproduction on a disk in said disk reproduction unit at a time point of input to said first input unit, in response to input to said second input unit ([0142]; [0145]; [0115]) when data is being reproduced by said data reproduction unit (during “playback” in [0142]); a thumbnail generation unit generating a thumbnail image of a still picture at a position of reproduction on said disk associated with said information of displaying a marker in said information storage unit, in response

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to an input at said first input unit ([0142]; [0143]; [0144]) when data is not being reproduced by said data reproduction unit (during "pause" in [0142], "pause" operation is a temporary or short-time stop); and a thumbnail display unit causing said display device to display the thumbnail image generated by said thumbnail generation unit ([0129]; [0164]).

Claim 4 is rejected for the same reason as discussed in claim 1 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamada et al. (US 2002/0135608) as applied to claims 1 and 4 above, and further in view Chiu et al. (US Patent 6,452,615).

Regarding claim 2, see the teachings of Hamada et al. as discussed in claim 1 above. Further, Hamada et al. also disclose said data reproduction unit causes said display device to display a picture of the data to be reproduced ([0142]). However, Hamada et al. do not disclose said marker display unit displays said marker at an area on a display region of said display device.

Chiu et al. disclose a marker display unit displays markers at an area on a display region of a display device (Fig. 1; Fig. 3; column 5, lines 57-61).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the displaying of markers at an area on a display region of a display device disclosed by Chiu et al. into the disk reproduction apparatus disclosed by Hamada et al. to facilitate the reviewing and setting the markers; hence, enhancing the user interface of the apparatus.

Regarding claim 3, Chiu et al. also disclose reproduction control unit causing a data reproduction unit to execute a reproduction operation from a position of reproduction on a disk associated with information of displaying a selected marker in a information storage unit in response to input to an input unit when said thumbnail image is displayed at a display device (column 6, lines 35-42).

Claim 5 is rejected for the same reason as discussed in claim 2 above.

Claim 6 is rejected for the same reason as discussed in claim 3 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is 571-270-1116. The examiner can normally be reached on M-Th:7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hung Dang
Patent Examiner

Mehrdad Dastouri
MEHRDAD DASTOURI
SUPERVISORY PATENT EXAMINER
TC 2600
for Thai Tran